**§12161. Taking of certain nonmarine invertebrates from the wild for commercial purposes**

**1. Prohibition; penalties.**  Except as provided in this section, a person may not take and possess certain nonmarine invertebrates, specifically freshwater mussels, butterflies, moths, dragonflies or beetles, from the wild for export, sale or commercial purposes.

A. A person who violates this subsection commits a civil violation for which a fine of not less than $100 nor more than $500 may be adjudged. [PL 2011, c. 253, §24 (NEW).]

B. A person who violates this subsection after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime. [PL 2011, c. 253, §24 (NEW).]

[PL 2011, c. 253, §24 (NEW).]

**2. Commercial nonmarine invertebrate permit.**  Persons harvesting freshwater mussels, butterflies, moths, dragonflies or beetles for export, sale or commercial purposes are required to obtain a permit from the commissioner. The fee for a permit issued under this subsection is $27. The permit expires one year from the date of issuance.

[PL 2017, c. 205, §24 (AMD).]

**3. Rules.**  The commissioner may by rule:

A. Require reporting of commercial harvest activities, including at a minimum dates, locations and numbers collected by species; [PL 2011, c. 253, §24 (NEW).]

B. Establish daily and season possession limits; and [PL 2017, c. 205, §25 (AMD).]

C. [PL 2017, c. 205, §26 (RP).]

D. Require humane harvest, confinement and disposal methods. [PL 2011, c. 253, §24 (NEW).]

Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2‑A.

[PL 2017, c. 205, §§25, 26 (AMD).]

SECTION HISTORY

PL 2011, c. 253, §24 (NEW). PL 2017, c. 205, §§24-26 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 131st Legislature and is current through October 15, 2024
 . The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.